

method of calculating the actual subsidy during the subsidy period, and the provisions for adjusting for the difference between the estimated subsidy and the actual subsidy at the end of the subsidy period.

(e) For further information regarding these standards, persons may contact RSPO's Cost Evaluation Branch at 202-254-7552.

#### **§ 1155.2 Definitions of terms used in the standards.**

Unless otherwise required by the context, the following definitions apply:

*Account* means an account in the STB's Uniform System of Accounts for Railroad Companies (49 CFR part 1201).

*3R Act* means the Regional Rail Reorganization Act of 1973, Pub. L. 93-236 (87 Stat. 985).

*4R Act* means the Railroad Revitalization and Regulatory Reform Act of 1976, Pub. L. 94-210 (90 Stat. 31).

*Base year* means, for initial subsidy estimates, the year employed by the U.S. Railway Association in developing the final system plan (1973). For subsequent subsidy estimates, the base year is the year immediately preceding the year for which the subsidy estimate is being calculated.

*Branch* means a segment of a railroad that is not designated to be in the final system plan under the 3R Act, and that is the subject of a notice in writing of intent to discontinue service under section 304(a) of the 3R Act.

*Form R-1* means a class I railroad's annual report filed with the STB in accordance with the requirements of 49 U.S.C. 11145.

*Form R-2* means a class II railroad's annual report filed with the STB in accordance with the requirements of 49 U.S.C. 11145.

*FRA* means the Federal Railroad Administration, U.S. Department of Transportation.

*GMA* means General Managers Association of Chicago.

*STB* means the Surface Transportation Board.

*Just and Reasonable Charge* means that a charge to an account shall not exceed an amount necessary to the honest and efficient operation and management of carrier business.

*Notice of intent* means a notice in writing of intent to discontinue service under section 304(a) of the 3R Act and notice of intent to abandon rail properties under section 304(b) of the 3R Act.

*Person offering a subsidy* means a shipper, a State, the United States, a local or regional transportation authority, or any responsible person offering a rail service continuation subsidy under section 304(c)(2)(A) of the 3R Act.

*Rail Form A* means the STB's formula for use in determining rail freight service costs, statement 1F1-73.

*Railroad* means a railroad company, or the trustee or trustees of a railroad company, that gives a notice in writing of intent to discontinue service under section 304(a) of the 3R act, and, as the context requires, "railroad" may mean either the owner of rail properties over which subsidized service is or may be performed, or the operator of that service, or both.

*RSPO* means the Rail Services Planning Office established by section 205 of the 3R Act.

*Subsidy year* means any 12-month period for which a subsidy agreement is negotiated and in operation.

*XX*, when used in place of digits in a six-digit account number, means that all accounts containing the remaining four digits are to be used in the procedure being described. Example: "11-21-XX" refers to all salary and wage accounts for locomotives because "11" designates salaries and wages and "21" designates locomotives. Thus, "11-21-XX" includes all of the following accounts: 11-21-01, 11-21-40, 11-21-48, 11-21-39, and 11-21-99. Similarly, "XX-31-67" means all accounts containing "31" (train operations) and "67" (locomotive fuel).

[43 FR 1692, Jan. 11, 1978, as amended at 45 FR 19560, Mar. 26, 1980. Redesignated and amended at 47 FR 49582, Nov. 1, 1982]

#### **§ 1155.3 Procedure for calculating a subsidy estimate.**

(a) *Discontinuance notice and subsidy offer procedures*—(1) *Notice of discontinuance*. A railroad giving notice of intent to discontinue service on a branch shall provide an "Estimate of Subsidy Payment" and shall distribute copies